

REMARKS

Reconsideration of the above-referenced application in view of the above amendment, and of the following remarks, is respectfully requested.

Claims 1, 3-9, and 11-15 are pending in this case. Claims 1 and 9 are amended herein and claim 2 is cancelled herein.

The Examiner rejected claims 9 and 11-15 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 9 is amended to overcome the rejection by replacing "said second copper interconnect line" with —said second metal interconnect line—which finds antecedent support in lines 3-4 of claim 9. Accordingly, Applicant respectfully requests the rejection now be withdrawn.

The Examiner noted that claims 9 and 11-15 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph. Applicant respectfully submits that claim 9 has been amended to overcome the rejection and requests allowance of claims 9 and 11-15.

The Examiner rejected claims 1-8 under 35 U.S.C. 102(b) as being anticipated by Gambino et al. (U.S. Patent 6,429,474 B1).

Applicant respectfully submits that amended claim 1 is unanticipated by Gambino as there is no disclosure or suggestion in the reference of forming a bottom electrode on a first metal interconnect line of a top metal interconnect level, forming a capacitor dielectric, forming a top electrode over the capacitor dielectric, and forming a conductive cap electrically connecting the top electrode and the second metal interconnect line of the top metal interconnect level. As the Examiner pointed out on page 3 of the Office Action dated 12/15/2005, 'Gambino et al (US 6,429,474B1) does not teach the

"connecting a top electrode of said decoupling capacitor to said second copper interconnect line." ' Accordingly, Applicant respectfully submits that claim 1 and the claims dependent thereon are unanticipated by Gambino.

In light of the above, Applicant respectfully requests withdrawal of the Examiner's rejections and allowance of claims 1, 3-9, and 11-15. If the Examiner has any questions or other correspondence regarding this application, Applicant requests that the Examiner contact Applicant's attorney at the below listed telephone number and address.

Respectfully submitted,

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